

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

ELLIS TURNAGE

PLAINTIFF

VS.

CIVIL ACTION NO. 4:13-CV-00145-JMV

CLEVELAND STATE BANK, ET AL.

DEFENDANTS

ORDER REQUIRING PAYMENT OF ATTORNEY'S FEES

By an Order [37] entered September 16, 2014, this court sealed certain documents and awarded attorney's fees to defense counsel as a consequence of Plaintiff's counsel's inadvertent yet improper disclosure of documents subject to a Protective Order previously entered by this court. By Order [46] dated September 25, the court required defense counsel to file an itemized affidavit of *reasonable* fees and expenses (related to resolving disclosure of confidential documents) within 7 days and required that any response by Plaintiff's counsel be filed within 7 days thereafter. Defense counsel filed an affidavit [49] on October 2. No response has been filed by Plaintiff's counsel.

By way of the affidavit, defense counsel seeks \$3,808.50 in fees for attorney time associated with resolving the issue of Plaintiff's counsel's violation of the protective order in this case. Though no objection has been interposed by Plaintiff's counsel, the court's own review of defense counsel's affidavit reveals work performed by three attorneys, a substantial portion of which appears duplicative. Accordingly, a reduction of the total time is appropriate.

THEREFORE, IT IS ORDERED that within sixty (60) days of this date, Plaintiff's counsel shall pay \$2,800.00 to defense counsel for the benefit of defendants in this case.

This 15th day of October, 2014.

/s/ Jane M. Virden
U. S. MAGISTRATE JUDGE